



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,392	02/12/2002	David Leonard Juzswik	TRW(TE)5754	5567

26294 7590 10/20/2004

TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P.
526 SUPERIOR AVENUE, SUITE 1111
CLEVEVLAND, OH 44114

EXAMINER

PEREZ, JULIO R

ART UNIT	PAPER NUMBER
----------	--------------

2681

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,392

Applicant(s)

JUZSWIK, DAVID LEONARD

Examiner

Julio R Perez

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,5-7 and 11-15 is/are rejected.
7) ☒ Claim(s) 2-4 and 8-10 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5-7, 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Durst et al. (6518919).

Regarding claim 1, Durst et al. disclose a vehicle communication path-tracing system comprising: portable transmitter means for transmitting a command signal intended for and identifying a target vehicle (col. 3, lines 56-61; col. 4, lines 36-39; Fig. 11, the system includes transceivers within the base station and the mobile phone (25), and within the conventional phone (24), which communicate with the object locator); a plurality of transceiver/controller means each transceiver/controller means being located separate from said portable transmitter means, one of said transmitter/controller means being located at the target vehicle (col. 4, lines 12-36; Figs. 1, 11, a separate transceiver within the object locator corresponding to the target vehicle, which is the structure or medium transporting or transmitting a signal), at least one of said transceiver/controller means being at an intermediate location separate from the target vehicle (col. 3, lines 55-66; Figs 1, 11, the base station serving as an intermediate

Art Unit: 2681

transceiver is located intermediately between the mobile or conventional phone and the object locator transceiver), the at least one intermediately located transceiver/controller means including means for receiving the command signal intended for the target vehicle and for transmitting a retransmitted command signal (col. 3, lines 66-67; col. 4, lines 1-3 and 36-47; Fig. 1, 11, the wireless phone or the conventional telephone set transmit a dialed signal along the communication path 22 or 31 to the base station in turn via the network 12 and intended to the object locator), said target vehicle transceiver/controller means including means for receiving the retransmitted command signal and for transmitting an acknowledgement signal in response to receipt of the retransmitted command signal (col. 3, lines 56-61; 4, lines 33-34; Figs. 1, 11, the object locator unit receives a signal from the base station requesting its position; in turn, the object locator sends a response back to the base station via antenna 36 through the two-way system back to the base station), the acknowledgement signal being intended for reception by the at least one intermediately located transceiver/controller means that previously transmitted the retransmitted command signal which was received by the target vehicle transceiver/controller means (col. 4, lines 48-62; the object locator unit transmits a signal about its location back to the base station, which corresponds to the intermediate transceiver), the at least one intermediately located transceiver/controller means including means for receiving the acknowledgement signal and for transmitting a retransmitted acknowledgement signal (col. 3, lines 56-67; col. 4, lines 1-6 and 49-57, the base station located between the object locator unit and the wireless telephone receives

the signal response from the object locator and retransmits that signal to a display to depict location data).

Regarding claim 5, Durst et al. disclose a system, wherein the acknowledgement signal actuates a perceivable signal that indicates the path of retransmission of the acknowledgement signal (col. 4, lines 1-11, the base station receives the response from the object locator unit that shows its location and may be displayed on a display).

Regarding claim 6, Durst et al. disclose a system, wherein the at least one intermediately located transceiver/controller means retransmits the retransmitted control signal only once, in response to receipt of the command signal (col. 4, lines 33-62; the base station corresponding to the intermediate transceiver retransmits the signal from the wireless phone once).

Regarding claim 7, Durst et al. disclose a vehicle communication path-tracing system comprising: portable transmitter means for transmitting a command signal intended for and identifying a target vehicle (col. 3, lines 56-61; col. 4, lines 36-39; Fig. 11, the system includes transceivers within the base station and the mobile phone (25), and within the conventional phone (24), which communicate with object locator); a plurality of transceiver/controller means, each transceiver/controller means being located separate from said portable transmitter means, one of said transmitter/controller means being located at the target vehicle (col. 4, lines 12-36; Figs. 1, 11, a separate transceiver within the object locator corresponding to the target vehicle, which is the structure or medium transporting or transmitting a signal), at least one other of said

Art Unit: 2681

transceiver/controller means being at an intermediate location separate from the target vehicle (col. 3, lines 55-66; Figs 1, 11, the base station serving as an intermediate transceiver is located intermediately between the mobile or conventional phone and the object locator transceiver), the at least one intermediately located transceiver/controller means including means for receiving a command signal intended for the target vehicle and for transmitting a retransmitted command signal intended for the target vehicle (col. 3, lines 66-67; col. 4, lines 1-3 and 36-47; Fig. 1, 11, the wireless phone or the conventional telephone set transmit a dialed signal along the communication path 22 or 31 to the base station in turn via the network 12 and intended to the object locator), said target vehicle transceiver/controller means including means for receiving the retransmitted command signal (col. 3, lines 1- 34; col. 5, 18-29, the locator unit enclosed within the vehicle receives the signal from the base station as commanded by the computing device, in turn the locator unit responds back with a return signal indicating the receipt of the signal sent by the computing device via the transceiver within the base station), for providing user perceptible confirmation of receipt of the retransmitted command signal at the target vehicle, and for transmitting an acknowledgement signal (col. 3, line4s 56-61; 4, lines 3363- 34; Figs. 1,11, the object locator unit receives a signal from the base station requesting its position; in turn, the object locator sends a response back to the base station via antenna 36 through the two-way system back to the base station to be depicted on a display), the acknowledgement signal being intended for reception by the at least one intermediately located transceiver/controller means that previously transmitted the retransmitted

Art Unit: 2681

command signal received by the target vehicle transceiver/controller means (col. 4, lines 48- 62; the object locator unit transmits a signal about its location back to the base station, which corresponds to the intermediate transceiver), and the at least one intermediately located transceiver/controller means including means for receiving the acknowledgement signal and for providing user perceptible confirmation of receipt of the acknowledgement signal (col. 3, lines 56-67; col. 4, 1-6 and 49-57, the base station located between the object locator unit and the wireless telephone receives the signal response from the object locator and retransmits that signal to a display to depict

Regarding claim 11, Durst et al. disclose a system, where the at least one intermediately located transceiver/controller means includes means for transmitting a retransmitted acknowledgement signal (col. 4, lines 33-62; the base station corresponding to the intermediate transceiver retransmits the signal from the wireless phone once).

Regarding claim 12, Durst et al. disclose a system, wherein the at least one intermediately located transceiver/controller means actuates an auditory or visual indicator upon receiving an acknowledgement signal (col. 4, lines 1-11, the base station receives the response from the object locator unit that shows its location and may be displayed on a display).

Regarding claim 13, Durst et al. disclose a system, wherein the at least one intermediately located transceiver/controller means transmits the retransmitted command signal only once, in response to the receiving the command signal (col. 4,

Art Unit: 2681

lines 33-62; the base station corresponding to the intermediate transceiver retransmits the signal from the wireless phone once).

Regarding claim 14, Durst et al. disclose a method of remote vehicle communication, said method comprising: transmitting a command signal, identifying a target vehicle and intended for reception at the target vehicle, through at least one intermediately located transceiver/controller (col. 3, lines 56-61; col. 4, lines 36-39; Fig. 11, the system includes transceivers within the base station and the mobile phone (25), and within the conventional phone (24), which communicate with the object locator, which corresponds to the target); receiving the transmitted command signal at the at least one intermediately located transceiver/controller located separate from the target vehicle (col. 3, lines 66-67; col. 4, lines 1-3 and 36-47; Fig. 1, 11, the wireless phone or the conventional telephone set transmit a dialed signal along the communication path 22 or 31 to the base station, corresponding to the intermediate transceiver, in turn via the network 12 and intended to the object locator); transmitting a retransmitted command signal from the at least one intermediately located transceiver/controller (col. 3, lines 66-67; col. 4, lines 1-3 and 36-47; Fig. 1, 11, the wireless phone or the conventional telephone set transmit a dialed signal along the communication path 22 or 31 to the base station in turn via the network 12 and intended to the object locator); receiving the retransmitted command signal at the target vehicle (col. 3, lines 1-34; col. 5, 18-29, the locator unit enclosed within the vehicle receives the signal from the base station as commanded by the computing device, in turn the locator unit responds back with a return signal indicating the receipt of the signal sent by the computing device via

Art Unit: 2681

the transceiver within the base station); transmitting an acknowledgement signal, containing an acknowledgement identifying the target vehicle and intended for reception at the at least one intermediate transmitter/controller that previously transmitted the retransmitted command signal (col. 4, lines 48- 62; the object locator unit transmits a signal about its location back to the base station, which corresponds to the intermediate transceiver); receiving the acknowledgement signal at the at least one intermediately located transceiver/controller (col. 4, lines 48- 62; the object locator unit transmits a signal about its location back to the base station, which corresponds to the intermediate transceiver); transmitting a retransmitted acknowledgement signal (col. 3, lines 56-67; col. 4, 1-6 and 49-57, the base station located between the object locator unit and the wireless telephone receives the signal response from the object locator and retransmits that signal to a display to depict location data).

Regarding claim 15, Durst et al. disclose a method of remote vehicle communication, said method comprising: transmitting a command signal, identifying a target vehicle and intended for reception at the target vehicle, through at least one intermediately located transceiver/controller (col. 3, lines 56-61; col. 4, lines 36-39; Fig. 11, the system includes transceivers within the base station and the mobile phone (25), and within the conventional phone (24), which communicate with the object locator, which corresponds to the target); receiving the command signal at the at least one intermediately located transceiver/controller located separate from the target vehicle (col. 3, lines 66-67; col. 4, lines 1-3 and 36-47; Fig. 1, 11, the wireless phone or the conventional telephone set transmit a dialed signal along the communication path 22 or

Art Unit: 2681

31 to the base station, corresponding to the intermediate transceiver, in turn via the network 12 and intended to the object locator); transmitting a retransmitted command signal from the at least one intermediately located transceiver/controller (col. 3, lines 66-67; col. 4, lines 1-3 and 36-47; Fig. 1, 11, the wireless phone or the conventional telephone set transmit a dialed signal along the communication path 22 or 31 to the base station in turn via the network 12 and intended to the object locator); receiving the retransmitted command signal at the target vehicle (col. 3, lines 1-34; col. 5, 18-29, the locator unit enclosed within the vehicle receives the signal from the base station as commanded by the computing device, in turn the locator unit responds back with a return signal indicating the receipt of the signal sent by the computing device via the transceiver within the base station); transmitting an acknowledgement signal, containing an acknowledgement identifying the target vehicle and intended for reception at the at least one intermediate transmitter/controller that previously transmitted the retransmitted command signal (col. 4, lines 48-62; the object locator unit transmits a signal about its location back to the base station, which corresponds to the intermediate transceiver); receiving the acknowledgement signal at the at least one intermediately located transceiver/controller (col. 4, lines 48-62; the object locator unit transmits a signal about its location back to the base station, which corresponds to the intermediate transceiver); actuating user perceptible confirmation of receipt of the acknowledgement signal (col. 4, lines 1-11, the base station receives the response from the object locator unit that shows its location and may be displayed on a display); transmitting a retransmitted acknowledgement signal (col. 3, lines 56-67; col. 4, 1-6 and 49-57, the

base station located between the object locator unit and the wireless telephone receives the signal response from the object locator and retransmits that signal to a display to depict location data).

Allowable Subject Matter

3. Claims 2-4, 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach intermediary located controllers located within a vehicle other than the target vehicle. Further, located transceiver means to alter the command signal to indicate retransmission has been accomplished.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the art with respect to remote systems for controlling functions across wide distances.

US Pat. No. 6745253 to Struble	Locating peripheral devices
US Pat. No. 4539706 to Mears et al.	Vehicular repeater system
US Pat. No. 6664888 to Bishop	Controlling functions of an automobile
Pub. No. 20040183676 to Eisenman	Car alarm personal location system
US Pat. No. 6611232 to Wunderlich et al.	Lock box locator

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R Perez whose telephone number is (703) 305-8637. The examiner can normally be reached on 7:00 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JP
10/18/04



DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600